

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
	:	
RICARDO BOCEL,	:	
	:	21 Civ. 7384 (LGS)
Plaintiff,	:	
	:	
-against-	:	<u>ORDER</u>
	:	
PATZERIA FAMILY & FRIENDS, INC., et al.,	:	
Defendants.	:	
-----X		

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for December 2, 2021. (Dkt. No. 27.)

WHEREAS, no significant issues were raised in the parties' joint letter or proposed case management plan. (*See* Dkt. Nos. 28, 29.) It is hereby

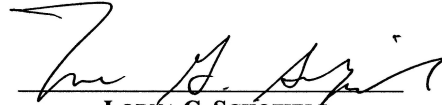
ORDERED that the December 2, 2021, initial pretrial conference is **CANCELLED**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan and scheduling order will issue in a separate order. It is further

ORDERED that by **December 7, 2021**, given the lenient standard for conditional certification, *see Varghese v. JP Morgan Chase & Co.*, Nos. 14 Civ. 1718, 15 Civ. 3023, 2016 WL 4718413, at *5 (S.D.N.Y. Sept. 9, 2016) ("Plaintiff's burden is minimal because the determination that the parties are similarly situated is merely a preliminary one" (quoting *Lee v. ABC Carpet & Home*, 236 F.R.D. 193, 197 (S.D.N.Y. 2006))), the parties shall meet and confer and file a letter apprising the Court of whether the parties will stipulate to conditional certification and the form of notice, reserving all of Defendants' rights to object to any final certification under the more rigorous standard that applies at that stage. It is further

ORDERED that, if the parties cannot agree, Plaintiff shall file any pre-motion letter on the motion for conditional certification by **December 16, 2021**. Defendants shall file any response by **December 23, 2021**. It is further

ORDERED that, if Defendants seek to file a motion to dismiss, they shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2.

Dated: November 30, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE